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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91222231
Party	Defendant Istanbul Altin Rafinerisi Anonim Sirketi
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Gucci America, Inc.)	
)	
Opposer,)	
)	
v.)	
)	Opposition No. 91222231
Istanbul Altin Rafinerisi Anonim Sirketi)	Application no. 79156963
)	
Applicant)	Mark: GG GOLDRAM
)	
)	

ANSWER TO NOTICE OF OPPOSITION

Applicant, Istanbul Altin Rafinerisi Anonim Sirketi, by its attorneys hereby responds to the allegations set forth in the Notice of Opposition filed by Opposer, Gucci America, Inc., on June 1, 2015, as follows:

GROUND FOR OPPOSITION

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1. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 1 of the Notice of Opposition, and therefore denies said allegations.
2. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 2 of the Notice of Opposition, and therefore denies said allegations.
3. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 3 of the Notice of Opposition, and therefore denies said allegations.
4. Applicant admits that U.S. registration nos. 1106722, 1107311, 1107259 and 3378755 are

active registrations listed under the name of Opposer in the U.S. Patent and Trademark Office TDR system, and that the TDR system states that a section 15 declaration has been filed for each registration. Applicant has insufficient knowledge or information as to the truth of the remainder of the allegations set forth in Paragraph 4 of the Notice of Opposition, and therefore denies said remainder. In particular, Applicant does not know whether there may be non-recorded assignees, whether the registrations are in fact valid, and whether the registrations are in fact incontestable. The filing of a section 15 Declaration does not make the registration incontestable per se, but is an issue to be determined by a court.

5. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 5 of the Notice of Opposition, and therefore denies said allegations.

6. Applicant admits that U.S. registration nos. 1158170, 1464522, 3376129, 3391739 and 445434 are active registrations listed under the name of Opposer in the U.S. Patent and Trademark Office TDR system, and that the TDR system states that a section 15 declaration has been filed for some of these registrations. Applicant has insufficient knowledge or information as to the truth of the remainder of the allegations set forth in Paragraph 6 of the Notice of Opposition, and therefore denies said remainder. In particular, Applicant does not know whether there may be non-recorded assignees, whether the registrations are in fact valid, and whether the registrations are in fact incontestable. The filing of a section 15 Declaration does not make the registration incontestable per se, but is an issue to be determined by a court.

7. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 7 of the Notice of Opposition, and therefore denies said allegations.

8. Applicant admits that U.S. registration nos. 3039629, 3039630, 3039631, 3470140, and 4407197 are active registrations listed under the name of Opposer in the U.S. Patent and

Trademark Office TDR system, and that the TDR system states that a section 15 declaration has been filed for most of these registrations. Applicant has insufficient knowledge or information as to the truth of the remainder of the allegations set forth in Paragraph 8 of the Notice of Opposition, and therefore denies said remainder. In particular, Applicant does not know whether there may be non-recorded assignees, whether the registrations are in fact valid, and whether the registrations are in fact incontestable. The filing of a section 15 Declaration does not make the registration incontestable per se, but is an issue to be determined by a court.

9. Paragraph 9 makes no allegation to affirm or deny. Applicant therefore denies the allegation in paragraph 9.

10. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 10 of the Notice of Opposition, and therefore denies said allegations.

11. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 11 of the Notice of Opposition, and therefore denies said allegations.

12. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 12 of the Notice of Opposition, and therefore denies said allegations.

13. Applicant admits that Applicant seeks to register the Applicant's Mark in connection with Applicant's Goods and Services. Applicant further admits that Opposer's priority filing dates and alleged dates of first use as indicated in the USPTO TESS Database are prior to Applicant's filing date. Applicant has insufficient knowledge or information as to the truth of the remainder of allegations set forth in Paragraph 13 of the Notice of Opposition, and therefore denies said remainder.

14. Applicant denies that Applicant's Mark is confusingly similar in appearance and commercial impression to Opposer's GG Design Marks. Applicant has insufficient knowledge or

information as to the truth of the remainder of the allegations set forth in Paragraph 14 of the Notice of Opposition, and therefore denies said remainder.

15. Denied.

16. Denied.

17. Denied.

AFFIRMATIVE DEFENSE

1. Applicant is informed and believes, and on this basis asserts that Opposer's Registration Nos. 1106722, 1107311, 1107259 and 3378755 must be viewed in the context of interlocking chains based on the manner in which Opposer actually uses the mark.

2. Applicant is informed and believes that the marks depicted in registration nos. 1106722, 1107311, 1107259 and 3378755 are invalid because the GG design cannot be severed from the interlocking chains depicted in the specimens of use.

WHEREFORE, Applicant requests that the Notice of Opposition be dismissed with prejudice.

Respectfully Submitted,

Dated as of: June 18, 2015

By: ___/john Alumit/_____

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Anonim Sirketi

PROOF OF SERVICE

I hereby certify that a true and complete copy of the foregoing **ANSWER TO NOTICE OF OPPOSITION** has been served on Andrea L. Calvaruso, Esq., counsel for Opposer on June 18, 2015, via First Class U.S. Mail, postage prepaid to:

Andrea L. Calvaruso
KELLEY DRYE & WARREN LLP
101 PARK AVENUE
NEW YORK, NY 10178

_____/mike scott /_____